

REMARKS

Upon entry of the present amendment, claims 1, 3-5, and 15 will remain pending in the above identified application and stand ready for further action on the merits.

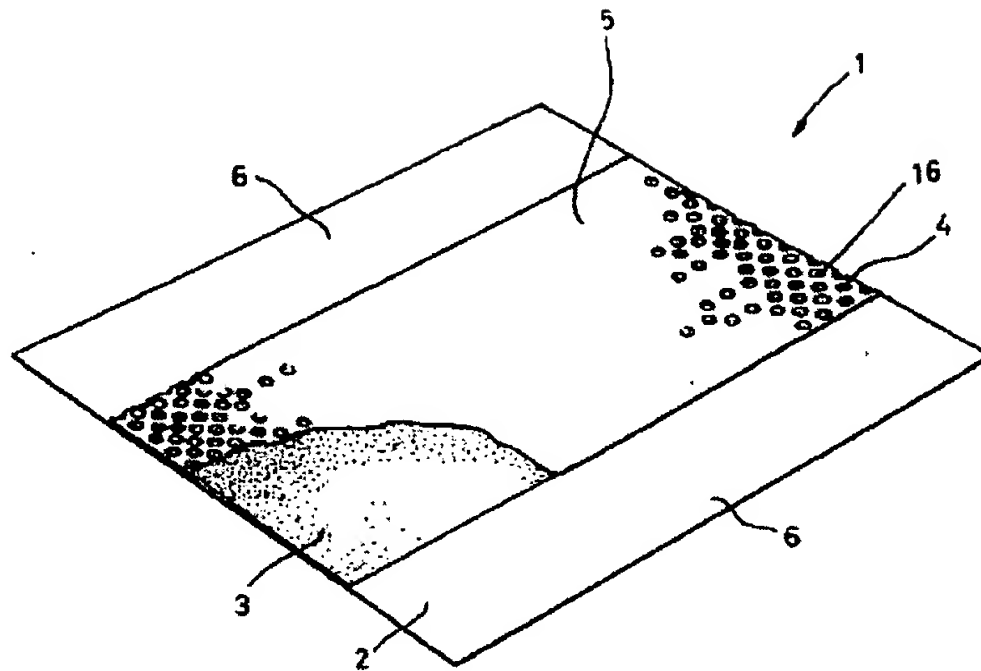
Claim 1 is amended herein to clarify that the dust-holding part of the second sheet holds the scraped fibrous dust "by having the fibrous dust physically entangled therewith". Support for this amendment can be found in canceled claim 10.

Entry of the present amendment is respectfully requested, since there would be no undue burden upon the Examiner to consider this amendment to claim 1 in view of the fact that the Examiner has already considered claim 10. Furthermore, no new matter has been added.

Issues under U.S.C. 103

Claims 1, 3-5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 09-224895 (JP'895) in view of JP 10-060761 (JP'761) and JP 2000-328415 (JP'415). Applicants respectfully traverse the rejection.

The Examiner is relying upon JP'895 for teaching the structural features of the presently claimed cleaning sheet. The following is Fig. 1 from JP'895.



Based on the Examiner's comments in the paragraph bridging pages 3 and 4 of the outstanding Office Action, the Examiner appears to be equating the mesh surface sheet element 5 with the inventive "first sheet". Also, the Examiner is equating the adhesive sheet element 3 with the inventive "second sheet". The Examiner finds that the area of the rectangle in the above figure which contains elements 5 and 3 is equivalent to the inventive "cleaning area". Also, the Examiner is equating element 6 with the "low-friction area" of the present invention.

In order to further distinguish the present invention from the teachings of JP '895, Applicants have amended the description of the dust holding part of the second sheet of claim 1. As noted above, the Examiner has equated the inventive second sheet that holds scraped fibrous dust with the adhesive sheet element 3 of JP '895 and has taken the position that the tacky adhesive of the adhesive sheet element 3 of JP '895 would hold the scraped fibrous dust. Applicants have further amended the description of the dust holding part of the second sheet of claim 1 so that it is clear that the dust is not being held by a tacky adhesive as in the cleaning

sheet of JP '895. Specifically, Applicants have amended claim 1 to recite that the cleaning sheet has a dust-holding part of the second sheet which holds the scraped fibrous dust "by having the fibrous dust physically entangled therewith". This is clearly distinct from the cleaning sheet of JP '895 which uses adhesive action to hold the dust.

In addition, the inventive cleaning sheet is further distinguished from the cleaning sheet of JP '895 in the composition of the first sheet. The first sheet is described as:

an air-laid nonwoven fabric comprising at least one thermoplastic resin selected from the group consisting of a polyolefin, polyamide, polyester and a fluororesin, and the air-laid surface comprises numerous fibers having a fineness of 23 to 200 dtex.

The Examiner is aware that JP '895 is silent with respect to this feature of its mesh surface sheet element 5. However, the Examiner is relying upon JP '415 for teaching the composition of the inventive first sheet. The Examiner has taken the position that the skilled artisan would be motivated to modify the mesh surface sheet element 5 of JP '895 with the composition/structure of the nonwoven fabric of JP '415 to obtain the inventive "first sheet." The Examiner believes that there is sufficient motivation to combine the teachings of JP '895 with the teachings of JP '415 since both have the same IPC classification, A47L 13/16.

However, Applicants respectfully disagree with the Examiner. The Examiner appears to be using improper hindsight reconstruction in finding JP '415 is combinable with JP '895.

The purpose of the specific fineness of fibers of the nonwoven fabric of JP '415 is to effect a water permeability property in the nonwoven fabric. This is important, for the object of JP '415 is to use the nonwoven fabric as an outer layer covering an absorbent layer such as in bandages, diapers and other absorbent products, see paragraphs 0020 and 0021 of JP '415.

The skilled artisan would not be motivated to use the nonwoven fabric of JP '415 in the mesh surface sheet element 5 of JP '895, since water permeability is irrelevant to the intended use of the cleaning sheet of JP '895. In fact, if the cleaning sheet of JP '895, which incorporates the nonwoven fabric of JP '415 into surface sheet element 5, is used to clean a water spill, the water would permeate to the adhesive sheet element 3 and destroy the adhesiveness of element 3.

With respect to the obviousness rejections under 35 USC 103, the Examiner's attention is directed to MPEP 2141, which states that when applying 35 USC 103, "the references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination." Accordingly, for the present invention to be obvious, there must be some teaching or suggestion that would motivate the skilled artisan to modify the mesh surface sheet element 5 of JP '895 by incorporating the nonwoven fabric of JP '415, to obtain the cleaning sheet as presently claimed. However, there would be no motivation to incorporate the nonwoven fabric of JP '415 into the surface sheet element 5 of JP '895, since the nonwoven fabric of JP '415 is taught to be useful for cleaning water spills and cleaning water spills with the cleaning sheet of JP '895 would destroy the adhesiveness of element 3.

Accordingly, the combination of JP '895 and JP '415 is improper and the inventive cleaning sheet is patentable over the cited references.

Lastly, Applicants note that the Examiner has taken the position that the references are combinable, since both JP '895 and JP '415 are in the same international class, A47L 13/16. However, Applicants respectfully disagree that this is a proper means for ascertaining if the skilled artisan would be motivated to combine the references. This is especially true here when the Examiner looks to the details of this specific classification of JP '415. JP '415 has been

classified in four classifications, and only one of which is IPC A47L 13/16. IPC A47L 13/16 has the following headings:

A47L - DOMESTIC WASHING OR CLEANING; SUCTION CLEANERS IN GENERAL

13/00 Implements for cleaning floors, carpets, furniture, walls, or wall coverings

. 13/10 - Scrubbing; Scouring; Cleaning; Polishing

. . 13/16 - Cloths; Pads; Sponges

It appears from paragraph 0024, that JP '415 has been classified in IPC A47L 13/16 based on the intended use of the article in wiping furniture. In paragraph 0024, JP '415 states that the article can be used as a wipe for furniture by incorporating a lubricant into the absorbent inner layer. Accordingly, the liquid permeability of the nonwoven fabric outer layer is important for its intended use as recognized in its specific classification. As mentioned above, such liquid permeability of the mesh surface sheet element 5 of JP '895 goes counter to the objects of JP '895, which incorporates an adhesive layer element 3 for adequate dust removal, and liquids permeating into or out of the article of JP '895 is not contemplated.

Applicants believe that the Examiner's reliance on the similar classification of JP '415 and JP '895 in finding motivation to combine the references is baseless when taking into consideration these facts.

Furthermore, JP '761 fails to cure the deficiencies of the combination of JP '415 and JP '895. JP '761 teaches a cleaning sheet which may catch dust, but it cannot hold the

collected dust. In addition, the sheet of JP '761 does not have a low friction area, and therefore the sheet lacks manageability in cleaning a floor.

Based on the foregoing, significant patentable distinctions exist between the present invention and the teachings of the cited references, and as such, withdrawal of the rejection is respectfully requested.

CONCLUSION

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq. (Reg.


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No. 43,575) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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Respectfully submitted,

By 

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